

PUBLIC NOTICE NO. MT-06-25  
September 18, 2006

PURPOSE OF PUBLIC NOTICE

The purpose of this notice is to state the Department's intention to issue wastewater discharge permits to the facilities listed in this notice. These permits are issued by the Department under the authority of 75-5-402, Montana Code Annotated (MCA); the Administrative Rules of Montana (ARM) 17.30.1301 *et seq.*, Montana Pollutant Discharge Elimination System (MPDES); ARM 17.30.1001 *et seq.*, Montana Ground Water Pollution Control System (MGWPCS); and Sections 402 and 303 of the Federal Clean Water Act. The Water Protection Bureau has prepared draft permits for the facilities listed below. Copies of the draft permits, statements of basis, and environmental assessments are available upon request from the Water Protection Bureau or on the Department's website [www.deq.mt.gov](http://www.deq.mt.gov).

APPLICANT INFORMATION

APPLICANT NAME:	Graham Development, LLC 257 Eze Street Belgrade, Montana 59714
FACILITY NAME	Countryside Estates Subdivision
FACILITY LOCATION:	Northeast ¼ of Section 9 and NW/4 of Section 10, Township 1 South, Range 4 East, Gallatin County
RECEIVING WATER:	Class I ground water
PERMIT NUMBER:	MTX000177

The permit authorizes the discharge of treated residential strength wastewater from the Countryside Estates Subdivision. The permittee proposes to collect, treat and dispose of a design capacity of 38,700 gallons per day (gpd) of domestic strength wastewater from 62 single-family lots, four (4) lots for commercial office buildings, and a 10-unit apartment building. Ground water beneath the property is Class I according to the Administrative Rules of Montana [ARM 17.30.1006(1)]. The permittee is required to monitor the effluent quarterly to ensure the proper treatment of BOD, TSS, phosphorous, nitrogen, and e-coli bacteria. The draft discharge permit grants a standard 500-foot ground water mixing zone.

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APPLICANT NAME: Rio Tinto Minerals  
C/O Luzenac America, Inc.  
P.O. Box 130  
Cameron, MT 59720

FACILITY NAME: Beaverhead Mine

FACILITY LOCATION: East ½ of Section 14, Township 7 South,  
Range 6 West, Madison County

RECEIVING WATER: Unnamed tributary to Middle Fork Stone Creek

PERMIT NUMBER: MT0027821

The Beaverhead Mine facility is a former open-pit and underground talc mining operation located approximately 25 miles southwest of Alder. Currently, the facility is undergoing post-closure reclamation stabilization. The current water management system captures mine water seepage likely from the underground workings and run-off and seepage from the reclaimed and partially stabilized “Middle Dump” waste rock pile. The proposed permit includes effluent limits for pH and suspended solids and instream compliance limits for turbidity; and, effluent and instream monitoring for flow, nitrate, total kjeldahl nitrogen, pH, total suspended solids, turbidity, copper, zinc and hardness.

On September 21, 2000, a U.S. District Judge issued an order stating that until all necessary total maximum daily loads under Section 303(d) of the Clean Water Act are established for a particular water quality limited segment, the State is not to issue any new permits or increase permitted discharges under the MPDES program. The order was issued in the lawsuit Friends of the Wild Swan v. U.S. EPA, et al., CA 97-35-M-DWM, District of Montana, Missoula Division. The DEQ finds that the issuance of this proposed permit does not conflict with the order because TMDLs associated with the discharge have been established.

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APPLICANT: City of Shelby  
P.O. Box 743  
Shelby, MT 59474

FACILITY NAME: City of Shelby Domestic Wastewater Treatment  
Facility

FACILITY LOCATION: T 32N, R 2W, Section 35, South of the City of Shelby,  
Toole County

RECEIVING WATER: Outfall 001: Medicine Rock Coulee

PERMIT NUMBER: MT0031488

This permit is a reissuance of a Montana Pollutant Discharge Elimination System (MPDES) permit for a domestic sewage treatment facility. The permittee operates a three cell facultative lagoon system for treatment of its domestic waste. Discharge is controlled and seasonal to Medicine Rock Coulee, an ephemeral drainage to the Marias River. Effluent is not disinfected prior to discharge.

On September 21, 2000, a U.S. District Judge issued an order stating that until all necessary total maximum daily loads under Section 303(d) of the Clean Water Act are established for a particular water quality limited segment, the State is not to issue any new permits or increase permitted discharges under the MPDES program. The order was issued in the lawsuit Friends of the Wild Swan v. U.S. EPA, et al., CA 97-35-M-DWM, District of Montana, Missoula Division. The DEQ finds that the issuance of this proposed permit does not conflict with the order because the discharge is not new or increased and the receiving water is not a 303(d) listed waterbody.

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APPLICANT: Yukon Mining, Inc.  
3027 7<sup>th</sup> Avenue South  
Great Falls, MT 59405

FACILITY NAME: Yukon Mine

FACILITY LOCATION: Section 29, Township 14 North, Range  
10 East, Judith Basin County

RECEIVING WATER: Outfall 001: Unnamed Tributary to Yogo Creek in  
Skunk Gulch

PERMIT NUMBER: MT 0030775

Yukon Mining, Inc. (Yukon) intends to conduct exploration activities and mining operations to recover precious metals. Effluent discharged from Outfall 001 will consist of mine water from the underground adit and other run-off and mine drainage from the facility. Discharge permit effluent limits are based on the nondegradation significance criteria and other applicable water quality standards. Monitoring required by the permit includes effluent monitoring, instream monitoring, ground water monitoring and biological and aquatic life monitoring prior to and during operations. No mixing zone is being issued. The permittee is

required formulate a Plan of Operations, design a wastewater collection treatment and discharge system, and establish and evaluate discharge and effluent treatment alternatives prior to active mining operations and/or additional exploration at the facility.

On September 21, 2000, a U.S. District Judge issued an order stating that until all necessary total maximum daily loads under Section 303(d) of the Clean Water Act are established for a particular water quality limited segment, the State is not to issue any new permits or increase permitted discharges under the MPDES program. The order was issued in the lawsuit Friends of the Wild Swan v. U.S. EPA., et al., CA 97-35-M-DWM, District of Montana, Missoula Division. The DEQ finds that the issuance of this proposed permit does not conflict with the order because the receiving water is not listed as water quality limited segment on the 303d list.

#### PUBLIC COMMENT

Public comments are invited **ANYTIME PRIOR TO CLOSE OF BUSINESS October 17, 2006.** Comments may be directed to the DEQ Permitting & Compliance Division, Water Protection Bureau, PO Box 200901, Helena, MT 59620. All comments received or postmarked **PRIOR TO CLOSE OF BUSINESS October 17, 2006** will be considered in the formulation of final determinations to be imposed on the permits. If you wish to comment electronically, you may e-mail Dianne McKittrick at [WPBPublicNotices@mt.gov](mailto:WPBPublicNotices@mt.gov).

During the public comment period provided by the notice, the Department will accept requests for a public hearing. A request for a public hearing must be in writing and must state the nature of the issue proposed to be raised in the hearing (ARM 17.30.1373 and 17.30.1024).

The Department will respond to all substantive comments and issue a final decision within sixty days of this notice or as soon as possible thereafter. Additional information may be obtained upon request by calling (406) 444-3080 or by writing to the aforementioned address. The complete administrative record, including permit application and other pertinent information, is maintained at the Water Protection Bureau office in Helena and is available for review during business hours.

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